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INTERNATIONAL LABOUR CONFERENCE.

THIRD SESSION.

GENEVA, APRIL, 1921.

UNIV. OF
CALIFORNIA

A. AGE OF EMPLOYMENT AS
TRIMMERS AND STOKERS.

B. COMPULSORY MEDICAL EXAMINA-
TION OF ALL CHILDREN
EMPLOYED ON BOARD SHIP.

ITEM V (A) AND (B) OF THE AGENDA.

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INTRODUCTORY NOTE.

When making preparations for the preceding Sessions of the General Conference, the International Labour Office sent out extensive questionnaires to all Governments requesting them to forward all available information concerning the questions on the Agenda. Special stress was laid upon the importance of receiving the most complete information on existing and proposed legislation, and on agreements between employers and workers. Finally, Governments were asked to give their opinion on the proposed Draft Conventions and Recommendations.

This method had two drawbacks :—

- (1) Such protracted enquiries were necessitated by this form of questionnaire that the majority of the replies were received too late to allow of the elaboration of a carefully considered report.*
- (2) Some Governments appeared to consider sufficient the enquiry into existing legislation and the conditions which gave rise to it, and failed to realise the necessity of examining carefully the possibilities of international action. It was, therefore, impossible for the International Labour Office to form a proper estimate of the objections and difficulties which a Draft Convention might encounter.*

These drawbacks were felt keenly during the last Session of the Conference at Genoa. Hence the following new

method has been adopted—a method made possible by the development of the Office :—

- (a) *The problem is studied, and existing legislation and available information on the subject are collected by one of the technical services of the International Labour Office. Requests to Governments for information or documents are confined to what is needed to complete the information already available.*
- (b) *The Office then draws up a questionnaire relating exclusively to the possibility of elaborating Draft Conventions or Recommendations on the question at issue, and to the provisions which it may or may not seem necessary or possible to include in them. The present questionnaire is of this type.*
- (c) *When the International Labour Office has received the replies to the questionnaire, and is thereby informed of the opinions of the Governments of the various States, it will proceed to draw up a General Report, together with Draft Conventions or Recommendations, to serve as definite bases for the discussions of the Conference. In order to facilitate this task the replies to this questionnaire should reach the Office not later than the 1st March, 1921.*

The preparation of the General Report referred to in paragraph (c) would be facilitated if, where possible, several copies of the replies and important documents in English or French were communicated to the Office. For Federal States answers should be given both for the central Government and for the principal local Governments, in so far as they have legislative authority in this question.

INTERNATIONAL LABOUR CONFERENCE. THIRD SESSION.

GENEVA, APRIL, 1921.

ITEM V. OF THE AGENDA.

- (a) PROHIBITION OF THE EMPLOYMENT OF ANY PERSON UNDER THE AGE OF 18 YEARS AS TRIMMER OR STOKER.
- (b) COMPULSORY MEDICAL EXAMINATION OF ALL CHILDREN EMPLOYED ON BOARD SHIP.

The States Signatories to the Covenant of the League of Nations have undertaken therein to "endeavour to secure and maintain fair and humane conditions of labour for men, women and children, both in their own countries and in all countries to which their commercial and industrial relations extend." The methods and principles to be adopted to this end are set out in the Labour Section of the Peace Treaty, and include specifically "the abolition of child labour and the imposition of such limitations on the labour of young persons as shall permit of the continuation of their education and assure their proper physical development." (Article 427 of the Peace Treaty.)

The International Labour Conference dealt with these two questions at the sessions held at Washington and Genoa, adopting at Washington two draft conventions fixing the minimum age of admission of children to industrial employment, and prohibiting the employment

of young persons at night, and at Genoa a further one fixing the minimum age of admission of children to employment on board ship.

A special Commission was appointed at Genoa to consider "the application to the Mercantile Marine of the Draft Convention adopted at Washington, prohibiting the employment of children under fourteen years of age," which formed the third item on the Agenda of the Conference. The Commission included in the Draft Convention which it placed before the Conference two articles restricting the age at which particularly exacting kinds of labour might be undertaken. The Commission was moved to this course by the conviction that the reasons leading to the establishment of international regulations concerning the minimum age of admission to work at sea also justified the extension of legal protection beyond the age of 14 years for certain kinds of heavy work.

The additional articles were as follows:—

- (a) "Seamen under 18 years of age may not be employed as trimmers or stokers.
- (b) "No person under 17 years of age may be employed on night-watches between 8 p.m. and 6 a.m."

The Conference considered, however, that the Commission had exceeded its terms of reference and the scope of the Agenda in inserting these articles in the Draft Convention, and ultimately they were referred back to the Commission, which then proposed that the Conference should pass resolutions placing these two questions on the Agenda for the 1921 Conference.

The resolution concerning employment on night-

watches was lost, but, by 69 votes to 11, the Conference decided to include on the next Agenda the question of the prohibition of the employment of any person under the age of 18 years as a trimmer or stoker.

* * * *

At the same time, the Italian Government Delegation brought forward the following amendment to the Draft Convention which was before the Conference :—

“ Before employment on board ship, children shall be medically examined under the authority of a Commission presided over by the doctor attached to the embarkation port, and consisting of one doctor appointed by shipowners and one by seamen.”

The Commission had already come to the conclusion that this further question was also outside the scope of its terms of reference, although its members expressed the opinion that as there was already much legislation providing for the medical examination of children employed on board ship, the question might be referred to the next Conference. This view was confirmed by the Conference itself, and the following resolution was accordingly passed, by 78 votes to 2 :—

“ In accordance with Article 402, paragraph 3,* of the Treaty of Peace, the Conference resolves to insert on the Agenda of the next International

* Article 402, paragraph 3, of the Treaty of Peace: “ If the Conference decides (otherwise than under the preceding paragraph) by two-thirds of the votes cast by the delegates present that any subject shall be considered by the Conference, that subject shall be included in the agenda for the following meeting.”

Labour Conference the question of compulsory medical inspection for all children employed on board ship.”

* * * *

There is nothing new in either of these proposals, except that they should form the basis of an international agreement. Provisions already exist in several national legislations for restricting the age at which work as a fireman or trimmer may be undertaken. The limit varies from 15 to 18 years. It is also known that several countries are preparing legislation on the subject. In Sweden it is proposed to raise the age for firemen to 19 years, and for trimmers to 18 years. The Reporter of the Genoa Commission expressed its views in favour of restriction as follows :—

“ It is vitally necessary to protect the human race against the ravages wrought by organic diseases such as tuberculosis, bronchitis, and broncho-pneumonia. It is necessary to fight these diseases because, in the seaman’s calling, conditions are different from those obtaining in industries carried on on land. I might say that in this calling, pulmonary tuberculosis is perpetually prevalent in an acute form. In the first instance, bronchitis develops into broncho-pneumonia, and, making rapid progress, results in definite pulmonary tuberculosis. That depends on accommodation, and the way in which people are herded together. These diseases are also contracted in the case of firemen *when young people are employed who are not fully developed.* They stand at the

openings of the furnaces before the fires in a very high temperature, while behind them they sometimes have ventilating funnels which send an icy current down their backs. These are the very conditions to lead to tuberculosis. Heat on one part of the body, extreme cold on another, bring rapid changes of temperature which give rise to bronchitis, broncho-pneumonia, and very soon to tuberculosis."

In the case of compulsory medical examination, much legislation is already in existence. Various countries require either that a medical certificate of fitness shall be produced before the employment of children at sea is permitted (*e.g.*, France), or that certain responsible persons shall "satisfy themselves" that a child is of sufficient health and strength to undertake work at sea (*e.g.*, Great Britain, Canada).

The arguments in favour of compulsory medical examination before admission to employment at sea are obviously beyond dispute. In the first place, it should reveal any inherent disability which would effectually prevent a boy from passing the subsequent medical tests to which he would be submitted by many of the great seafaring countries before he could become a qualified seaman or undertake certain types of voyage, thus obviating waste of valuable time and training. In addition to this, it permits of preventive treatment of maladies and defects, thus effecting immediate practical economy in the seaman's special calling, and adding to general national efficiency.

QUESTIONNAIRE.

(a) Prohibition of the employment of any young person under the age of 18 years as trimmer or stoker on board ship :—

Would your Government be prepared to adopt 18 years as the minimum age for admission to employment as a trimmer or stoker ?

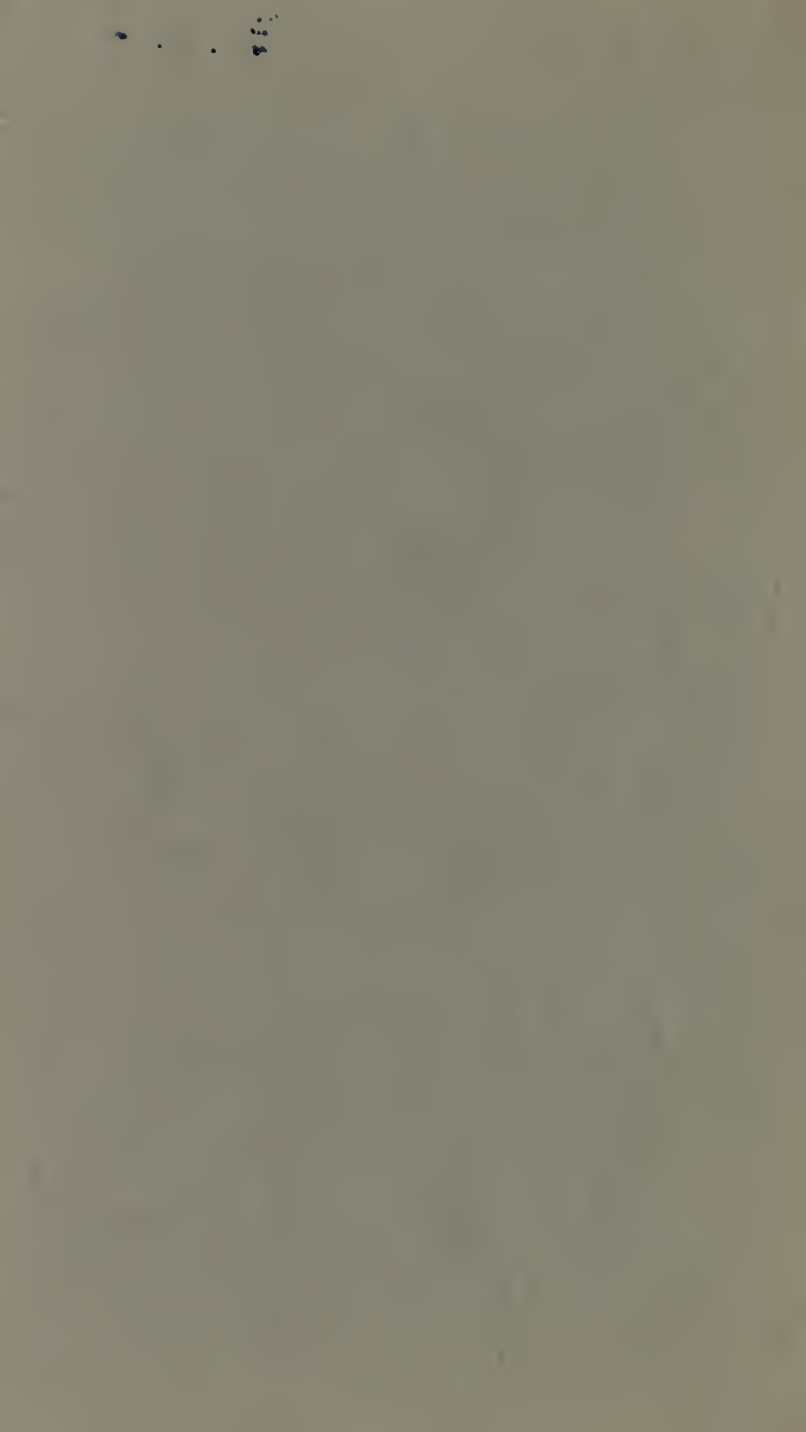
(b) Compulsory medical examination of all children employed on board ship :—

(1) Would your Government be prepared to adopt compulsory medical examination of all children employed on board ship ?

(2) If so, is it considered that it should take place only on entrance into the mercantile marine, or that it should be repeated at definite intervals up to a fixed age, e.g., 18 years ?

N.B.—It is asked that copies of all documents or texts of laws and administrative regulations which might be of assistance in elaborating draft conventions on these two questions may be forwarded at the same time as the replies to the questionnaire.





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